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KINGSTON, ONTARIO
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MOWAT

AND

Good Government.

THE

LICENSE QUESTION;

CONSTITUTIONAL,

FINANCIAL,

MUNICIPAL

AND SOCIAL.

Conservative Attacks Disposed of.

JANUARY, 1883.

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THE LICENSE QUESTION!

Brief History of the Operation of the License Laws in Ontario.

GOVERNMENTAL & MUNICIPAL CONTROL CONTRASTED

Ever since the interests of public order and sobriety in Ontario rendered the regulation by law of the liquor traffic necessary, the Provincial Legislatures of the day have claimed and exercised supreme authority to deal with the issue of licenses. Prior to 1873, however, the enforcement of the law, in so far as the details were concerned, was almost wholly left in the hands of Municipal Councils. They fixed the fees, except those payable to Government, imposed such conditions as they saw fit, and, if they chose, appointed Inspectors. Practically every man who had the limited accommodation provided by Statute could have a license for the asking. The result was no substantial inspection or supervision and

Inefficiency and Illicit Liquor Selling Prevailed Everywhere.

The provisions of the law were lax. The Inspectors were not expected by the Councils to perform their duty, while the Councillors themselves in cities, towns and villages were too often dependent upon the holders of licenses and the ward politicians who surrounded them, for their own existence as Councillors. Feeble and spasmodic attempts at the enforcement of the law, such as it was, were occasionally made, but they resulted in failures. Public complaints were loud and deep. A growing and indignant public opinion demanded a change for the better.

A Vicious Principle

underlay its administration. License matters were in this shape in 1867, the year of the confederation of the Provinces. But if in this respect the British North America Act did nothing more, it secured to the Legislature and people of this Province *with all the force of a written constitution* the control of the issue of licenses, as the following extract will show :—

B. N. Act, Sec. 92, Sub-Sec. 9.

" In each Province the Legislature may make laws in relation to shop, " saloon, tavern, and auctioneer licenses in order to the raising of a revenue " for Provincial, Local or Municipal purposes."

It further gave exclusive power to the Provinces to legislate as to " all matters of a merely local or private nature in the Province."

The license laws were amended by the Ontario Legislature in 1867, in 1868-9, and in 1869. The state of affairs in cities

Became so Bad

that the control of licenses was taken away from the Councils and given to the Boards of Police Commissioners. There was, however, no improvement until the Mowat Administration, which entered office late in 1872, took the first step in the session of 1873 towards grappling with the whole question of regulating the traffic in an effectual manner. They struck boldly at the root of the trouble by substituting for Municipal control the sound principle of Provincial control, and from that day to this the history of the management of the traffic has from all points of view been a history of success.

The "Crooks Act."

In the first Session of 1874 the laws regulating the sale of intox[illegible] liquors were consolidated ; and in the Session of 1875-6, the Gove[illegible] made a further successful effort to solve some very difficult problems yet remained to be dealt with. The Act then passed placed the autho[illegible] grant licenses in the hands of three unpaid Commissioners for each electora division. It limited the number of licenses to be issued in cities, towr and villages, and gave the Commissioners and Councils power to furt[illegible] limit the number. Power was also given to Municipal Councils and to [illegible] Commissioners to limit the number to be issued in rural municipa[illegible]. Being in no sense a prohibitory measure, it provided a just scale fo[illegible]ne increase of licenses in any municipality where the demands of a growing population justified it. The enforcement of the law in each License District was entrusted to a paid Inspector also appointed by the Crown. Regulations as to the hours of sale, the qualifications required from vendors, and the licensing fee, were also adc[illegible]ted, as well as provisions to secure, as far as possible, the conviction of offenders.

Public Opinion.

Prior to the introduction of the Act, the Government were, by influential delegations, by petitions, by the action of the leading temperance advocates, by temperance organizations—indeed, by the friends of temperance of every class—constantly urged to take the issue of licenses and inspection under their own immediate control ; and since its passage, and after a fair trial, it is safe to say that the " Crooks Act," has been almost universally approved by the leaders and friends of the temperance movement of every political opinion throughout the Province, and generally by those who, while not identified with any temperance organization, yet look to the Government to regulate and keep within due bounds the traffic in intoxicating liquors.

It was in obedience to the general wish that the Government accepted the duties and responsibilities which the new law imposed upon them, and no doubt they would gladly be relieved of them if the public interest permitted and public sentiment would justify it.

The Licensed Victuallers' Memorial.

Some of the provisions of the Crooks Act were suggested by the "Licensed Victuallers of Canada," through an influential deputation of their members, who waited on Attorney-General Mowat on the 6th of January, 1876, and presented an elaborate memorial upon the subject. The memorial in addition to other statements contained this paragraph :—

" We are quite prepared to concede that the 'Liquor Question,' as it has been affectedly called, is becoming a question indeed. People are now beginning to allow that it is a question. They confess, and we affirm, that it is a question which must be attended to ; that it is one which is growing and strengthening and deepening, and which cannot any longer be paltered with or avoided. People of all classes and all parties are beginning to see that something is needed to check the growing evils of intemperance, and something more on the one hand than mere conversation, and something else on the other hand than simple attempts at legislation, is required to meet and remedy this great social evil under which we are laboring. This is a truth which is now beginning to spread."

And again : " We are agreed in this, that the Act of the Ontario Legislature known as the 'Crooks Act' is, on the whole, a fair and just enactment, and if its provisions were strictly carried out and enforced (with some slight alterations, to which we shall hereafter refer), we think that intemperance would greatly decrease, and the public on the one hand, and the tavern keepers on the other, would be generally satisfied."

The memorial further urged more rigorous inspection, and that not *once* but *frequently* during the year ; it asked for statutory provisions requiring better accommodation on the part of tavern keepers, and declared that

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the character of the persons applying for licenses should be fully considered before the applications should be entertained. Further, it suggested :— "That the houses of parties selling without license should be closely watched, and the law strictly enforced." And after pointing out certain grave evils arising from unlicensed traffic, the memorial proceeded to say : " *To counteract this, we think that Government Inspectors should be appointed. Experience has shown that such officers are far more efficient in suppressing such traffic and bringing the offenders to justice than the police force, which is required for the discharge of other duties.*"

This memorial was published at length in the Toronto daily papers of the 7th January, 1876, and is duly signed by the President and Secretary of the Licensed Victuallers' Association.

Public Satisfaction with the Act.

That the Crooks Act has given general satisfaction is proven by the following facts :

1. No municipal council has petitioned the Legislature to revert to the former state of affairs.

2. No petition from any quarter has been received by the Legislature for the repeal of the Crooks Act.

3. The Licensed Victuallers themselves have not disapproved of the principles of the Act itself.

4. On January 6th, 1876, the Toronto *Mail* said : " *It was a step in the right direction when the issue of licenses was taken from the municipalities.* * * * * * *A great point to gain is to wholly dissociate the granting of licenses from the financial advantages which local treasuries derive from multiplying drinking houses.*" On March 6th, 1876, the *Mail* referred to the previous method of issuing licenses as " *the old system of granting licenses to almost every applicant.*" After the first of these quotations it went on to advocate that the whole of the funds raised by the issue of licenses should be taken from the municipalities and be used to maintain a provincial police force.

That the Act from the first gave general satisfaction is further evidenced by the fact that in the summer of 1877 petitions signed by over 5,000 of the citizens of Toronto, including all or nearly all the hotel keepers and other Licensed Victuallers, licensed grocers and brewers of the city, were presented to the City Council, in which, referring to the License Law, it was deliberately stated that " the *Crooks Act has been the most successful measure so far adopted.*"

If further testimony be required, it will be found in the indignant and almost universal protest which has been made by the people against the threatened usurpation of the control of liquor licenses by the Prime Minister of the Dominion Government, who recently, for political purposes, promised his partisans by legislation at Ottawa, to abolish the Crooks Act and restore the old state of affairs, with municipal mismanagement and probably lengthened hours for selling on Saturday nights, and their attendant evils. With regard to this, his Ontario lieutenant, in a recent speech at St. Thomas, is reported to have said : " What we propose to do is to give " back to the municipalities the rights of which they have been de- " prived ; *to give them the control of the liquor traffic, and the right to say* " *who shall receive licenses, and to whom shall be entrusted the power of* " *carrying on the trade.*" The careful, thoughtful attention of every sober, respectable man in the community, and of the Licensed Victuallers themselves, is asked to the plainly expressed determination on the part of the Conservative party to go back, if put into power, to the state of affairs prior to 1875.

Among the bodies which entered formal and solemn protests was the General Conference of the Methodist Church, which last September adopted the following resolution :—

Resolved—That, although we cannot accept as righteous absolutely any License Law, yet if we must tolerate some one as the tentative regulator of an evil till we can have it removed, *we must regard the "Crooks Act" as the best instrument for this*

suppression the Province of Ontario ever had. We would emphatically deprecate any legislation that would impair its efficiency, and we would respectfully recommend our people, where this law obtains, *to use their voice and franchise to prevent the control of the license system reverting to the municipalities, where the industrious ward politician and the interested liquor dealer so largely manipulate the election.*"

At the meeting of the Toronto Branch of the Dominion Alliance for the suppression of the liquor traffic, held on the 6th of November last, the following resolution was passed :—

Resolved—That the Toronto Branch of the Dominion Alliance regards the action of the Licensed Victuallers in seeking the influence of Sir John A. Macdonald for the extension of the hours of Saturday night liquor selling with great concern and indignation; and hereby assures the Dominion Government that any attempt to relax the present license laws in the direction of further opportunities for the sale of liquor will meet with the strongest expressions of disapproval on the part of the Christian and temperance people of the country : and this meeting, representing all temperance socities in the city of Toronto, hereby pledges itself to give the most practical and earnest support to the Provincial Government in their efforts to restrict the liquor traffic. In order that immediate action may be taken in this direction, this question is now referred to our Committee on Legislation. Resolved, that a copy of the resolution be sent to Sir John A. Macdonald and to the press.

Such are the answers made by an indignant public to Sir John s threat, for party ends, and by subverting the Constitution, to seize upon and wrest from Ontario a purely provincial right. This power was exercised by the Local authorities before Confederation. Under the Constitution it is assigned to the Local Legislatures. By those Legislatures it has been exercised for sixteen years. No decision of any Court has yet held that it was wrongly or illegally exercised. Surely Sir John Macdonald will hesitate before he invades the exclusive jurisdiction of the Local Legislatures to seize upon matters over which, under the Constitution, they have control. If he does not, the people of the various Provinces will not much longer submit to such continued attacks upon their Provincial rights.

Upon this point the following pertinent extract may be taken from the speech of Hon. A. S. Hardy, Provincial Secretary, delivered in Parliament on the 20th December last.

Mr. Hardy said : " It would be found that from year to year the trade in intoxicating liquors had been surrounded with such checks and guarantees as this House and the intelligence of the people had suggested. The law of the present Government is not a prohibitive law, it is a license law, and it implies dealing with the liquor question under such safeguards as may be necessary. When this license law was discussed from a prohibition standpoint they made a mistake. It was a license law and not a prohibitive law, and therefore implied the existence of the traffic, and not prohibition. The License Victuallers were, as a body, satisfied with the Crooks Act. The great body of the thinking temperance and moderate people recognized that it was not within the power of that Legislature to prohibit, but that it was to regulate, and that anything savoring of prohibition, or any assertion that the Government was responsible for the drunkenness in the Province was aside from the issue and raised a false one. (Hear, hear.) Was this deputation which went to Ottawa representative of the Licensed Victuallers as a body? Out of four composing the deputation, two were brewers. (Hear, hear.) The influential part of the deputation were a couple of political brewers. It would be a convenient thing for the brewers to control the licensing power of the Province. Sir John Macdonald had just replaced the only temperance man from Ontario in his Cabinet by taking in an influential brewer from London. (Hear, hear.) This was just prior to an election, when it was thought an object to have the solid vote of the Licensed Victuallers. Therefore Sir John Macdonald said, " I am going to wrest from Ontario the control of the licensing power. I am going to take it out of the hands of the people's representatives for the Province," and thus usurp the functions of that Legislature, although he had to trample on the constitution of the country in order to do so. (Cheers.) Had the Licensed Victuallers not prospered under the Ontario Act?

Look at the class of taverns and the class of men who now keep them. It is a vastly better class than formerly. The business has been levelled up because there is not a tavern at every corner, or two hotels where there ought to be one. That sort of protection to the Licensed Victuallers was afforded by the Act, and if they were only let alone by political wire-pullers and left alone from promises in relation to the Saturday night law, and in other respects, the great body of them would be substantially and reasonably satisfied with the Crooks law. (Cheers.) But the Conservative leader, to get the vote of the Licensed Victuallers, expressed his intention to take this matter to Ottawa, where it would be freed from the control of public opinion. Now this was a local question, if there were any local questions at all. Section 92 of the British North America Act plainly gave that Legislature the entire control of the question. Could they imagine a question more local in its very nature than who should have licenses in Toronto, in London, in Brantford ? How could this be made a Dominion question ? How were they interested in who should have licenses in the Maritime Provinces or in Quebec ? How could the citizens of those other Provinces be interested in who received or did not receive licenses in Ontario ? He called upon his hon. friends opposite, who had ignored their own functions, and who had conspired and connived with the men who took away, with their aid, the rights of Ontario, to make answer on this point. (Cheers.) They would be required to answer when they went to the people, and would not be allowed to shirk this question as they had done during this debate. (Loud cheers.) Hon. gentlemen listened to their Ottawa leader publicly announcing that he would usurp the functions of the Legislature of which they were members without so much as uttering one word in protest against this unwarranted intrusion upon the rights of the Province. The language Sir John Macdonald himself once used would become true, namely, that if these things were done by the Federal authorities, Provincial legislation would become "a sham." (Cheers.)

How the Act Works.

The healthy influence so far exercised by the Act is shown by the following illustrations of its working :—

Number of licenses (Tavern, Shop, &c.,) issued in 1874, under former Acts.	6,185
Number issued in 1876, under the "Crooks Act"	3,936
" in 1877	3,676
" " 1878	3,715
" " 1879	4,020
" " 1880	4,049
" " 1881	4,133

—(*See License Report, 1881, page 17.*)

Number of Tavern Licenses issued in Toronto in 1875, with a pop. of 70,000	299
Reduced under Crooks Act in 1881, with a population of 86,455, to	210

—(*See License Report, 1881, page 16.*)

The Measure an Economical One.

Reckless charges as to the expense of enforcing the Act have occasionally been made by the Opposition, but the following figures show them to be wholly without foundation :—

1876-7.

Actual expenses of the License Commissioners for the Province, and salaries of the Inspectors, for the license year 1876-7		$46,097 01
From this sum should be deducted the fines collected for the year, and which are by law to be applied towards these expenses		27,910 49
Leaving the actual cost for above service at, but		$18,186 52
Or average cost for the year for each License District or Riding of, only		213 96
Or average cost for the year for each Municipality in the Province of, only	$29 00	
Deducting therefrom ⅓ payable by the Government	9 66	
Leaving an average cost per Municipality of only		19 34

(*See License Report, 1878, page 58-9.*)

1881-2.

Actual expenses of the License Commissioners for the Province and salaries of the Inspectors for the license year 1881-2..		46,796 40
Deduct fines collected.....		17,301 44
Leaving the actual cost for above service at but		$29,494 96
Or average cost for each License District or Riding of, but.....		347 00
Or for each Municipality in the Province of, but.....	$42 38	
Deducting therefrom ⅓ payable by the Government.....	14 12	
Leaving an average cost chargeable to each Municipality of only————		28 26

—(*See License Report 1882, page 72.*)

The average cost per Municipality during the past six years would therefore be	25 26

It will have been seen that the slight increase in the net expense between the years 1876-7 and 1881-2, inclusive, is not owing to a perceptible increase in the cost of enforcing the law, but to a reduction in the amount of fines collected. It would be impossible to have a more economically administered efficient License Law.

There are over 700 city, town, village and township municipalities in the Province. Some of the townships in the newer and more remote parts of the Province are, however, financially unable to pay salaried inspectors to enforce a license law.

For the purposes of comparison it is fair to assume that there are at least 625 municipalities in the Province who would be able to employ officers to enforce the law if the Government did not do so. Of these 10 are cities, 197 are incorporated towns and villages, and 418 are townships. Were the Act of 1874 still in force in Ontario, each of these municipalities would require a paid Inspector whose salary would be a charge upon the municipal revenues. In the city of Toronto, for instance, two at least at a salary of not ess than $1,000 each would be required. Three of the other nine would require one each at the same salary, and the other six would require one each at a salary of $500 each. Competent men who would give their whole time to the work would be required, and the above salaries would not be greater than would be required to secure efficiency. Of the 197 incorporated towns and villages, such officers could not be obtained in, say one-half, or 99, of them at an average of less than $100 per annum each, and the other half, or 98, at an average of less than $60 each per annum; while of the 418 township municipalities Inspectors would not give the necessary time and perform the work well for an average of less than $25 each per annum, and these are considered low estimates.

Recapitulation.

1 city, 2 Inspectors at $1,000 each.....	$ 2,000 00
3 cities, 1 Inspector each at $1,000 each.....	3,000 00
6 " " " $500 each.....	3,000 00
99 incorporated towns and villages, 1 Inspector each at $100.....	9,900 00
98 " " " " $60.....	5,880 00
418 township municipalities, 1 Inspector each at $25.....	10,450 00
Cost of inspection for the Province.....	$34,230 00
Or an average for each municipality of.....	54 77
As against a general average during the past six years under the Crooks Act of.....	25 26

Under the Act of 1874, the entire expense of enforcing the Act, other than the costs collected from defendants, were also borne by the municipalities. Such expense comprised the fees payable to Constables and Justices of the Peace in cases of dismissal, and in cases of conviction in which the costs could not be collected from the defendants and in which the defendants were committed to prison, and also costs in appeal and *certiorari* cases which were not payable by or could not be collected from the defendants. These in the aggregate were large and in many cases amounted to more than the fines collected. It is safe to assume that under the Act of 1874 the expense equalled the fines collected.

More Money Received by Municipalities.

The statement has been recklessly made that the Government have taken from the municipalities the fees which the latter were entitled to and received under the old Act. The statement is false in every particular. The municipalities are entitled to and receive more revenue under the present Act, having regard to the number of licenses issued, than under the old Act. The Government were entitled under the old Act (see Act of 1874, sections 22 and 23), to a proportion of the fee—a proportion as great within a fraction as that to which it is entitled under the present Act.

While the municipalities receive much more than under the old Act, the amount to which the Government are entitled is in some cases but a small fraction more than under the old Act, while in others it is less.

The following table shows (1) The number of licenses issued in the province from 1876–7 to 1880–81 inclusive, of all kinds; (2) The amounts the municipalities would have received under the old Act; (3) The amounts actually received by them under the present Act; (4) The balance in favor of the municipalities under the present Act; (5) The amount the Government would have been entitled to under the old Act and under the present Act respectively.

Year.	No. of Tavern and Shop Licenses	No. of Wholesale Licenses	Total.	Amounts that would have been paid to Municipalities under former Act.	Amounts that were actually paid under present Act.	Difference under present Act in favor of the Municipalities.	Amounts that would have been paid to Government under former Act	Amounts that were actually paid to the Government under present Act.
				$	$ c.	$ c.	$ c.	$ c.
1876–7....	3763	147	3910	104,740	275,787 04	171,047 04	75,860 00	79,589 81
1877–8....	3551	67	3618	92,330	249,257 55	156,927 55	74,060 00	74,916 55
1878–9....	3634	52	3686	93,400	229,902 52	136,502 52	74,380 00	72,313 05
1879–80 ..	3956	42	3998	100,095	269,647 28	169,552 28	79.625 00	87,198 19
1880–81 ..	3987	40	4027	100,550	273,467 38	172,917 38	79,950 00	89,207 14
				491,115	1,208,061 77	806,946 77	383,875 00	403,224 74

Applying the same principle to the eight counties in which the recent bye-elections were held, but without reference to the fees payable to the Government, we have :—

Electoral Division.	Year.	Total No. of Tavern and Shop Licenses issued.	Amount that would have been paid to Municipalities under old Act.	Amount actually paid to Municipalities under present Act.	Difference in favor of Municipalities under present Act.
East Simcoe	1876-7 to 1880-81 inclusive.	198	$3,590 00	$9,703 01	$6,113 01
South Bruce	" "	272	4,820 00	14,122 57	9,302 57
North Renfrew ..	" "	150	3,670 00	8,481 61	4,811 61
South Waterloo ..	" "	250	4,850 00	12,361 38	7,512 28
Glengarry	" "	174	2,600 00	5,841 65	3,239 65
West Hastings ..	" "	218	8,530 00	25,713 51	18,183 56
South Essex	" "	127	1,905 00	5,573 94	3,768 94
Muskoka	" "	159	1,575 00	3,728 86	2,153 86

The following table giving further details, relates to six important counties and may be taken as a fair illustration of the working of the Act upon this point throughout the Province :—

COUNTY.	YEAR.	Tavern License.		Shop License.		Wholesale License.	Total.	Total amount of Statutory Fees that would have been paid to the several municipalities in the county under the Act in force prior to the Crooks Act.	Amounts that were actually paid to the several municipalities under the Crooks Act after deducting all expenses.	Total increased payments to municipalities in favor of the Crooks Act.	Total amount that would have been paid to the Government under the Act in force prior to the Crooks Act.	Amounts that were actually paid to the Government under the Crooks Act after deducting all expenses.	Total increased payments to Government.	Total decreased payments to Government.
		Town.	Township.	Town.	Township.			$ c.	$ c.	$ c.	$ c.	$ c.	$ c.	$ c.
Essex	1877-81	103	176	60	13	8	367	8,660 00	23,715 95	15,055 95	7,460 00	7,576 74	253 74	137 00
Lambton.....	1877-81	63	215	39	64	....	381	7,835 00	24,159 48	16,324 48	6,811 00	7,405 89	594 89	.....
Oxford	1877-81	88	201	31	15	....	335	7,425 00	21,273 87	13,848 87	6,295 00	6,656 73	361 73	.....
Huron.....	1877-81	94	422	29	44	....	589	11,415 00	25,663 71	14,248 71	10,185 00	11,054 21	869 21	.....
Perth	1877-81	146	284	52	19	....	501	11,690 00	31,349 00	19,659 00	9,240 00	10,451 50	1211 50	.....
Waterloo	1877-81	87	260	42	22	....	411	8,840 00	20,961 27	12,121 27	7,535 00	8,133 12	598 12	.....
Totals....	.....	581	1558	253	177	8	2584	55,865 00	147,123 28	91,258 28	47,526 00	51,278 19	3,889 15	137 00

It will be seen from this table that after deducting all expenses of enforcing the Act, including the salaries of the Inspectors, etc., these municipalities have been paid, out of the license funds every year since the Crooks Act came into force, very nearly treble the amount they would have received under the Act of 1874 from the same number of licenses, while the amounts received by the Government have been but very slightly increased, and in some cases have been diminished. In the amounts paid to the municipalities under the Crooks Act, the excesses over the statutory duties imposed by municipal by-laws have been included.

The Political Effect Charges False From Every Point of View.

The Government License Report for 1880 deals with the false charge that the Act had been used by the Government and Commissioners for political purposes. Accusations of that character having been made by certain party newspapers, a circular was issued from the Department requesting the Inspector in each division to make a return showing the names of Reformers and Conservatives respectively to whom licenses had been granted and refused. The following statement, extracted from the official Report (*see License Report, 1880, page 52*) conclusively disposes of this charge, and shows not only that there has been no discrimination against Conservatives, but that they have altogether had the best of it :—

Tavern licenses issued to Conservatives for 1880, ...	2,186
To Reformers	839
or nearly three to one in favor of Conservatives.	
Percentage of Conservative applicants refused	9
Percentage of Reform applicants refused	13

——	Number of Applicants for Licenses.	Number Granted.	Number Refused.
REFORMERS :			
Tavern	962	839	123
Shop	283	245	38
Six months	10	7	3
Wholesale	11	11	....
Total	1,266	1,102	164
CONSERVATIVES :			
Tavern	2,408	2,186	222
Shop	527	476	51
Six months	15	14	1
Wholesale	28	28	....
Total	2,978	2,704	274
NON-POLITICAL (Women, &c.) :			
Tavern	274	217	57
Shop	41	31	10
Six months	4	4	....
Wholesale	.....	....	....
Total	319	252	67

The table shows that of 1,266 applications from Reformers, 1,102 were granted and 164 refused ; of 2,978 applications from Conservatives, 2,707 were granted and 274 refused ; and of 319 applications from persons belonging to neither political party (chiefly women), 252 were granted and 67 re-

fused. The grants to Reformers were thus about 87 per cent. of their applications; to Conservatives, nearly 91 per cent.; and to non-politicians 79 per cent. To carry the comparison further, of the total number of these applicants for licenses, about 23 per cent. were Reformers; 65 per cent. Conservatives, and 7 per cent non-politicians. The percentages of the total number of Conservatives, Reformers, and non-politicians respectively, to whom licenses were granted or refused, may be tabulated thus :—

Persons receiving licenses.	Percentage granted.	Percentage of refusals.
Conservatives	67	9
Reformers	27	13
Non-politicians	6	21

The following table exhibits these statistics in a complete and consice form :—

Class.	No. of applicants for licenses.	No. of licenses granted	Proportion of applications from each class to total number of applications. Percentage.	Proportion of licenses in each class to total No. of licenses. Percentage.	Proportion of the applications from each class granted. Percentage.
Reformers	1,266	1,102	27·74	27·16	87·04
Conservatives ..	2,978	2,704	65·26	66·63	90·80
Non-politicians..	319	252	7·00	6·21	79 00
Total	4,563	4,058	100·00	100·00	....

Misrepresentations.

The Conservative organs, with endless repetition, recklessly and absurdly charge the increase of drunkenness, vagrancy and crime against the Mowat Government and the Crooks Act. Why not charge it against Sir John A. Macdonald and his Government? Sir John has been in power for the last five years. His Government alone deal with the laws relating to crimes, and almost exclusively with those relating to vagrancy. The Ontario Legislature cannot pass a single measure relating to crime or even criminal procedure. If any Government, therefore, are to be held responsible for the increase of crime, it is the Government at Ottawa, and not that at Toronto. Strange, is it not, that the Conservative leader is thus wounded in the house of his friends, it having remained for his chief organ to point out his delinquency.

Vagrancy.

It is patent to everybody that the increase in vagrancy from 1869 to 1877 was due very largely, if not wholly, to causes beyond the control of the Government either at Ottawa or Toronto.

The chief causes of vagrancy were :

1. "Hard times" in Canada and the United States.

2. Thousands of men out of employment who previously earned a living by steady work, but being out of work and destitute, went "on the tramp."

3. The influx from the United States of thousands of tramps, driven from that country by hard times and the severity of the laws against "tramps and vagrants," and by fear of the prison and workhouse.

Vagrancy is found by experience to be influenced greatly by the labor market, which in turn is largely controlled by good and bad times, and consequently, owing to renewed prosperity, has everywhere been on the decline since 1877. The Reports show that the commitments to prison of vagrants in 1877, during bad times, were 3,888 (*see Report of Inspector of Prisons for 1879, page 68*), whereas in 1881, during good times, they had

decreased to 1,587 (*see Report for 1881, page 133.* The Inspector of Prisons' Report for 1877 is up to the 30th of September of that year. The Crooks Act had then been in force seventeen months. In 1881 it had been in force five years and a half. The decrease between '77 and '81 was 59 per cent. If the Crooks Act is to be charged with the increase, then by the same rule it must obtain the benefit of the decrease! Perhaps the captious supporters of this new theory will explain how it came to pass that in the Eastern States, where they had no Crooks Act, but in several of which prohibition prevailed, the country five years ago was overrun with tramps and vagrants, while at the present time the decrease is quite as great as in Ontario!

Committals for Drunkenness.

The charge that to the Crooks Act is due increased drunkenness, is equally false. The accusation is as follows:

"Licenses issued in 1876, the first year under the Crooks Act .. 3,938
"Licenses issued in 1880 4,049

"Increase in four years ..... 111"

Therefore, according to the chief organ, increase in drunkenness is the result of the Crooks Act, which permitted an increase in four years of 111 licenses. The very slight increase of 111 licenses in four years is elsewhere accounted for, the act itself having regard to population as the basis of the issue. The *Mail*, in its issue of the 13th of September, 1882, in quoting the above figures, asks: "Could proof more damning than this be demanded "at once of the increase of licenses, of the partisan character of the working "of the law, *and of the increase of drunkenness to which we called atten-"tion?*"

The organ, therefore, boldly charges increase of drunkenness as a consequence of an increase of 111 licenses within four years; that is, between 1876 and 1880.

What is the result of this admission? Simply this, that if the issue of 111 additional licenses increases drunkenness, a diminution of the number of licenses must cause a corresponding decrease in drunkenness. The figures are as follows:

Licenses (tavern, shop, &c.), issued in 1874 under the old Act ... 6,185
" " " issued in 1880, under Crooks Act... 4,049

Decrease 2,136
Percentage of decrease, 35 per cent.

The question is a very simple one, and may be put as a proposition in the rule of three, namely: If the issue of 111 more licenses causes an increase of drunkenness, by how much more will a decrease of 2,136 licenses lessen drunkenness? Judged by the rule thus laid down by the opponents of the Crooks Act, the decrease by the non-issue of the 2,136 licenses, will be more than 19 times greater than the increase caused by the issue of the additional 111 in four years, of which the organ in hypocritical tones affects to complain. If the *Mail's* standard is at all reliable, drunkenness in Ontario in 1880, with an increased population of 120,000, was one-third less than in 1874 under the old Act, with a much smaller population.

It is not difficult to give reasons for this slight increase: In 1876 the Dunkin Act was in force in the County of Prince Edward, and in ten townships not belonging to that county. The Act has been repealed in all of these municipalities, and 64 licenses have been issued therein. This accounts for over one-half of the increase. Between 1876 and 1881, 28 new municipalities were formed in the Province, and 91 licenses were issued within them. It is estimated that at least 37 of these were new licenses re-

sulting from the formation of the new municipalities. In the new Districts of Algoma, Thunder Bay, Muskoka and Parry Sound, 64 new licenses were issued, and under the Act, between 1876 and 1881, 40 Municipal Councils petitioned for and obtained the authority of the Lieutenant-Governor-in-Council to take a new census in each of these municipalities. The increase on this account is estimated at about 30. This it will be seen accounts for at least an increase in the issue of 195 licenses—or considerably more than the 111. Doubtless a reduction in the number was made in other localities which will account for the difference.

Referring to this increase of 111 licenses in four years, the chief Conservative organ says that "this was not the result expected; it was a decrease the friends of the Act expected, not an increase," The answer to this is that they "expected" nothing of the kind, as the Act made no provision whatever for a decrease after the first and second years of its existence. The aim was to decrease the number of taverns in existence when the Act was passed in January, 1876, and the reduction was to take place, and was in fact accomplished during the first and second years of the operation of the Act, namely in 1876 and 1877. No provision whatever was made for a continuing decrease; but, on the contrary, it was distinctly recognized that as the issue was on the basis of population a slight increase would necessarily take place as population increased.

Reverting to the charge that drunkenness increased under the Crooks Act, the facts are clear, and the statistics abundantly establish, not only that the Crooks Act, after it had been fairly put in force and had begun to be recognized as not merely a temporary law, did actually check the increasing number of committals for drunkenness, and from 1877—the first full year after the Crooks Act came into force—down to 1881, the number has very greatly decreased. The figures are as follows:

	Committals.
1877	4,032
1878	3,785
1879	3,581
1880	3,795
1881	3,328

Between 1877 and 1881, therefore, under the Crooks Act, the *decrease* was no less than 704, or 17 per cent.

On the other hand, under the old law, between 1869 and 1875, the committals for drunkenness *increased* from 1,793 to 3,363, a total increase during that period of 1,570, or 87 per cent., a considerable increase taking place every year, with but one exception.*

So that under the old Act a constant increase between 1869 and 1875, amounting to no less than 1,570, or 87 per cent., took place, while under the Crooks Act, from its first full year (1877) down to 1881, there was as constant a decrease, amounting in all to no less than 704 cases, or 17 per cent. If, however, account is taken of the increase of population between 1877 and 1881, both inclusive, according to the last census about 150,000, or 8 per cent. of the entire population of the Province, the decrease was no less than 341 additional committals, or a total decrease between 1877 and 1881 of 1045, as against an actual increase under the old law of 1,570 between 1869 and 1875.

Increase under the old law	87	per cent.
Decrease under Crooks Act	17	"
Or, taking into account increase in population, a decrease of	25	"

To expect prohibition under a license law is a contradiction of terms. Licenses and license laws imply commerce in liquor of one sort or another.

* The years 1869 to 1875, inclusive, and 1877 to 1881, inclusive, are given, and the year 1876 omitted because the Crooks Act was not put in operation by the issue of licenses until May, 1876, and that year is therefore a broken year, and was partly under one system and partly under the other.

No license law that has ever been framed was able absolutely to prevent drunkenness. The most such a statute can do is to regulate the trade; cause the observance of law and the maintenance of order and decency; surround the public with such safeguards as are possible under a license system, and limit the sale to the legitimate requirements of the public. In these respects it is claimed for the Crooks Act that it has been a great promoter of temperance as well as of order and sobriety, and that it has largely limited the sale of liquor.

The Provincial Legislature is not authorized by its constitution to pass a prohibitory measure; that power rests solely with the Dominion Parliament. The Ontario Legislature in the Crooks Act, and the amendments thereto, has gone to the very verge of its authority—perhaps even beyond it on some points, as some of the Courts have held. It is not as a prohibitory law that the supporters of the Crooks Act claim for it its marked success, but as a restrictive law, as a license law administered under a license system—the only system within the constitutional power of the Provincial Legislature to adopt. That it has accomplished much in the right direction is beyond question. The foregoing data show with a positiveness which neither abuse nor misrepresentation can successfully controvert:

1st. That the Act has reduced the number of licensed drinking places in the Province by no less than 35 per cent.

2nd. That it has done much to arrest and permanently stay the therefore constantly increasing tide of drunkenness, which had increased between 1869 and 1875 no less than 87 per cent., and

3rd. That it has, in conjunction with better times and fewer licenses, caused an actual decrease in the number of committals for drunkenness; turning an increase of 87 per cent. between 1869 and 1875 into a decrease of 17 per cent. between 1879 and 1881; or, taking into account the increased population, into a decrease of 25 per cent. during this latter period.

A Conservative Compliment to the Leading Principle of the Crooks Act.

One of the greatest tributes that could be paid to the Act was that of the Conservative Convention, which, while professing a desire to place the issue of licenses in the hands of the Municipal Council, was compelled by force of public opinion to leave untouched the clause of the Act limiting the number of licenses.

Depend upon it, the two must stand or fall together. If the issue goes back into the hands of the Clerks of Councils, it will doubtless go accompanied by free trade in licenses, and the country would again be overrun with houses carried on for the purposes of liquor-selling alone—groggeries, pure and simple. The interests of every class are opposed to this.

To revert to the old system would be reactionary, and a severe blow to the cause of temperance. Temperance people of all classes and all shades of political opinion denounce the proposition.

Municipal Councils, compelled to go back to the public annually for election, would object to being placed under compulsion to refuse some applicants, while granting licenses to others. Under the old system they were not called upon to discriminate. Indeed, the Clerk did the whole business, and the Council was not consulted at all. No one who could pay the fee was refused a license

The respectable hotel-keeper will not willingly go back to the old system under which an unlicensed groggery competed against him at every corner. He knows he is better off under the present system, and he is not prepared to destroy the respectability of his business for the sake of putting Mr. Meredith in office.

A Conservative Tribute to the Effectiveness of the Act.

The *Mail* newspaper, in its issue of the 5th September, 1882, contains an interview with a city ex-unlicensed liquor-seller. The following quotation from the article is an unwilling tribute by that organ to some of the work accomplished by the Crooks Act:

"PAST AND GONE.—'THE OLD HOME AIN'T WHAT IT USED TO BE!' —AN UNLICENSED WHISKEY-SELLER'S LAMENT." * *

"Breaking up unlicensed houses was a source of great loss not only to the keepers of these places, but also to a number of so-called 'sports,' who regularly went down to the Police Court, in case of a raid on the houses by the police, and swore that they were the *bona fide* owners, thereby, for a consideration, getting themselves imprisoned, while the owners retained their liberty and continued their unlicensed traffic. Many of these houses never sold liquor except when the regularly licensed hotels were closed, namely, from seven o'cock on Saturday night until Monday morning. Their profits, however, during that time were sufficient to enable them to spend the rest of the week in riotous living, and a great many of the assaults and cases of drunkenness daily brought before the Police Magistrate were attributable to this source. A few of the old houses still sell on the sly, but the danger of frequenters' names as well as those of the proprietors, appearing in the daily papers, has had the effect of spoiling the trade. In speaking about the profits to be made now from the unlicensed sale of liquor, an old dealer said, 'I would sooner go out and break stones than try to make a living selling liquor without a license. Why, if one is caught, look at the heavy fine, or the alternative of bread and water at the goal.'"

The evidence is of value, as coming from an enemy to the Act.

A Great Success.

Upon the whole, it may be asserted without fear of successful contradiction, that the measure is admitted by all—except those who are striving to infuse party politics into the question, and who seek only political advantage in their discussion of it—to have proved a great success, and to have met with the approval alike of the friends of the cause of temperance and the respectable dealer. While on the one hand it protects the respectable dealer against mere groggeries, licensed and unlicensed, it extends to the great public a protection not less effectual against the demoralizing practices of the illicit dealer.

Robbing Ontario of her Rights.

One of the grounds upon which Sir John A. Macdonald a few weeks ago is said to have promised a delegation of brewers and partizan politicians, that he would destroy the Crooks Act, is that he is forced by the recent judgment of the Privy Council, in the case of Russell vs. The Queen (46 L T N S45,page 889)known as the City of Fredericton case,to take from the Provincial Legislatures, the power to issue licenses and control the liquor traffic. That case was an appeal from a conviction for violating the Scott Act, by an ex-hotelkeeper in the City of Fredericton, and the Privy Council decided that the Dominion had power to pass the Scott Act as the Act was applicable to the whole Dominion and it, therefore, held the conviction good. It does not decide that the Dominion has power to pass a prohibitory law for any one province. It does not decide that the Dominion has power to deal with the license question, either as applicable to the whole Dominion, or in relation to any one province. This latter question was not in issue; it was not argued, and consequently was not determined and formed no part of the judgment. On the power to license, or to restrict or regulate the sale of intoxicating liquors, their lordships passed no opinion whatever. Indeed, the principal ground upon which the power of the Dominion Parliament to pass the Scott Act was upheld *was that the law*

* In England licenses are granted not by the Municipal Councils but by Justices of the session.

In New York and most of the other States of the Union, they are not issued by the Municipal Councils, but by commissioners chosen for that purpose.

In Quebec the Act of 1878 provides that licenses shall be issued by the License Inspectors (who are appointed by the Government), except in the city of Montreal. The same Act provides that in Montreal all tavern licenses shall be issued by a board of three or more commissioners appointed by the Government.

was a general law applicable to the whole Dominion—to all the provinces and not to any one particular province. The following quotation from the judgment establishes this :

"The declared object of Parliament in passing the Scott Act is that there "should be uniform legislation in all the Provinces respecting the traffic in "intoxicating liquors, with a view to promote temperance *in the Domin-"ion.* Parliament does not treat the promotion of temperance as desirable "in *one Province* more than in another, but as desirable *everywhere through-"out the Dominion.* The Act, as soon as it was passed, became a law for the "*whole Dominion*, and the enactments of the first part, relating to the ma-"chinery for bringing the second part into force, took effect and might be "put in motion at once and *everywhere within it.* It is true that the pro-"hibitory and penal parts of the Act are only to come into force in any "county or city upon the adoption of a petition to that effect by a majority "of electors, but this conditional application of these parts of the Act does "not convert the Act itself into legislation in relation *to a merely local mat-"ter.* The object and scope of the legislation are still general, "viz., to promote temperance by means of a *uniform law throughout "the Dominion.* The means of bringing the prohibitions and penalties of "the Act into force, which Parliament has thought fit to adopt, does not "alter its general and uniform character. Parliament deals with the sub-"ject as one of *general concern to the Dominion*, upon which uniformity of "legislation is desirable, and the Parliament alone can so deal with it."

Sir John's assertion that he is forced by the Privy Council to usurp the functions of the provincial legislatures is, therefore, to give his own words, but "a pretence and a sham."

That the Province has legislative jurisdiction over the license question has been directly and indirectly held by the Courts of Queen's Bench and Common Pleas for Ontario scores, perhaps a hundred times. In all the decisions given by these Courts upon the question, not one judgment has been given which has negatived the jurisdiction of the Provincial Legislature. One of the latest decisions upon this point has been given by the Court of Appeals of Ontario—the highest Provincial Court—in the case of Regina *vs.* Hodge, reported in vol. seven of the Ontario Appeal Reports. In the judgment in that case, His Lordship, Chief Justice Spragge says :—"One other consideration presents itself, which is, to my mind, conclusive, This matter of licensing and of the regulation of places and persons licensed pertains to *municipal institutions, and is moreover of a local nature.* Now, the making of laws in relation to both these subjects *being committed exclusively to the Provincial Legislatures*, and legislation by any other power being *thereby excluded*, it follows that the B. N. A. Act operates to withdraw from legislative control *by any power or body whatever* the licensing and the regulation of places and persons licensed, powers in regard to which they had theretofore unquestionably exercised. The effect in that case would be more, and other than a *distribution* of legislative power, *it would be an extinction of legislative power in regard to subjects which, up to Confederation, had been subjects of Provincial Legislation.* And again,—the Act of 1875-6, by which the Board of License Commissioners was constituted, transferred to that body all powers and duties conferred and imposed upon the Commissioners of Police and Municipal Councils respectively by the Act of 1874. *Further, I do not myself entertain any doubt as to the power of the Provincial Legislature to make the change made by the Act of 1875-6* in the municipal law as it then stood. I think it is to be regarded as only a change in the machinery by which the municipal institutions of the Province had theretofore been worked; and as the power to make laws *in relation* to municipal institutions was conferred upon that Legislature by the Confederation Act, *it clearly, in my judgment, had the power to make that change.*"

In *Regina vs. Frawley* (reported in the same volume), a cause which

involved the power of the Local Legislature to punish by fine, imprisonment and hard labor, infractions of the license laws, the learned Chief Justice further said:—"The powers assigned by the Confederation Act to "the Provincial Legislature are large and various; and it is not too much "to say that it is a reasonable contention that Legislatures intrusted with "such powers, *on the due execution of which the happiness and prosperity "of the Provinces so largely depend, must also be entrusted with ample means "for their execution.*"

He further held that sub-sec. 9 of sec. 92 was cumulative to clause eight, and that it was intended to authorize Provincial Legislation in relation to the license question, for the purpose of raising revenue *as well as for the regulation of matters of police.*

In the case of *Regina vs. Hodge*, Mr. Justice Burton used the following language in giving judgment:—"It (the license question) was at that time "dealt with by the Parliament of the Province of Canada as coming within "what were known as municipal institutions, the power of dealing with "which is now within the exclusive jurisdiction of the Provinces: and it "would certainly come within the general clause which confers exclusive "power on the Provincial Legislature to deal with matters of a merely local "or private nature, and does not fall within any of the subjects with which "the Dominion Parliament has power to deal, unless, perhaps, by a general "measure affecting the whole Dominion, which has not been done. . . "I come to the conclusion that the *Provincial Legislature, and the Provin-"cial Legislature alone*, has the power to pass laws for the infliction of "penalties or imprisonment for the enforcement of a law of the Province "in relation to a matter coming within a class of subjects with which alone "the Province has the right to deal." Mr. Justice Burton also in *Regina vs. Frawley*, spoke as follows:—"I was somewhat surprised that we were again "pressed with the argument that the Liquor License Act was *ultra vires* "as dealing with trade and commerce, an argument which, if pressed to its "logical conclusion, would effectually preclude the Local Legislatures from "dealing with any particular trade or business within the Province."

The Policy of the Liberal Party.

At the Reform Convention held on the 4th of January, 1883, in Toronto the following resolution was adopted unanimously:—

"RESOLVED.—That this Convention views with gratitude the great improvements which have, under Reform Governments, been made in the laws affecting temperance; protests in the strongest way against any of the retrograde changes lately advocated, such as extending the hours of selling, lessening the restrictions in the number of licenses, and re-transferring to Municipal Councils the responsibility of issuing licenses; believes that the general interpretation of the Constitution, acted on in all the Provinces ever since Confederation, has been that the Provincial Legislatures have authority in the matter, and that such interpretation is in accordance with the spirit of the constitution; considers that it is for the best interests of the Dominion that the Local Legislatures should have such authority; deprecates any assumption of power by the Parliament of the Dominion in this regard, beyond what may be needed for passing a general law as to prohibition; declares that the Local Legislatures can best interpret and give effect to the feelings and wishes of the people in each Province as to the license system; and insists that action by the Parliament of the Dominion would be an undue interference with Provincial rights, and detrimental to the cause of order and sobriety."

Any attempt by the Ottawa Government to seize the power to deat with the license question will involve an usurpation—a nullification of provincial rights under the constitution, and a seizure by force and violence by the Dominion of the Legislature of authority reposed by the British North America Act in the Provinces. It would have the effect of dragging

Ontario down to the level of the Province the least advanced on the temperance question, and would tend to undo what the workers in the temperance cause have gained during the past twenty-five years, and it would put it beyond the power of Ontario to advance in the temperance movement faster than the most reactionary and intemperate province in the Dominion might choose to advance. Further, however good and complete the law might be made as at first passed, it would soon be changed for the worse. Under the pretence of amending the law the same tactics would be adopted as were attempted in relation to the amendment of the Scott Act proposed by Mr. Boultbee—an amendment which, if passed, would have practically destroyed the Act. The Crooks Act, if at first adopted in its entirety, would soon be whittled away so as to make it quite unrecognizable. The license question, too, would be entirely overshadowed by the large questions constantly engaging the attention of the Ottawa Parliament. It would sink into insignificance and would cease to be a vital question or a live issue. It would be almost if not entirely impossible to obtain progressive legislation touching it, and it would become a question as dead as it was when formerly dealt with at Ottawa. This is probably what Sir John Macdonald has in view. The question has since Confederation been too much agitated to suit him. Too much progress has been made, and he probably thinks by getting it back to Ottawa he can strangle it by degrees, and that it will again become a dead question.

What would satisfy one Province would not satisfy another. The result would be disagreements and consequent stagnation; and the reign of the distillery, the brewery and the gin shops would begin again. The people—those interested in the promotion of temperance, order and sobriety—should see to it that this nefarious attempt to subordinate the license question to the liquor interests should meet with ignominious failure.

It is a noticeable fact in this connection, and one upon which the lovers of order and sobriety will do well to ponder, that Sir John's threat to violently capture the legislation of license affairs, was made at almost the very moment that Mr. Aikens had left his cabinet and the principal brewer of the west, Mr. Carling, had been taken in in his place. It is a further noticeable fact that no sooner had Mr. Carling entered the Cabinet than delegations of brewers and hotel-keepers began to wait upon the Ottawa Government and to clamor for the change. The people will draw their own conclusions.

Charges against License Inspectors and Commissioners.

Unable to attack the Crooks Act on its merits its enemies endeavor to create prejudice against it by slandering the officers appointed to administer it. The charges against the Commissioners and Inspectors of political favoritism having been refuted by the statistics given elsewhere, an effort was made to traduce them by representing that they used their positions to coerce holders of licenses to do that which they did not want to do. Mr. Doherty, one of the Commissioners for the City of Toronto, was, for instance, accused of having compelled applicants for licenses to order large quantities of cigars from his firm before he would assent to their applications being granted. The names of Edward Hanlan, Mrs. M. A. Mead and John Patterson were at length given by the cornered slanderers as those of victims who had been notoriously imposed upon. Messrs. Hanlan, Patterson, and Mrs. Mead, however, over their own signatures promptly denied that they had ever been subjected to such treatment by Mr. Doherty, or approached by him in any way.

Mr. C. B. Doherty's Defence.

Mr. Doherty when interviewed by a reporter gave a complete and emphatic denial to the charges, and in conclusion said :—"So far from having received any pecuniary gain from my position as License Commissioner, it has been a source of actual loss to me. You can ask any of the large cigar

manufacturers in the city if I have injured their business, and I will venture to say that they will not say I have. Since my appointment I have striven to do my duty faithfully and well, and I deny that I have ever by word or deed, personally or by agent, directly or indirectly, attempted to coerce any hotel-keeper in Toronto into buying my cigars, or ever used my position as License Commissioner to forward my own selfish ends, and I court the fullest investigation into my conduct while in that position. Let my accusers produce their proof and I am ready to go before the Government at any moment."

The Licensed Victuallers Speak.

The following resolution was unanimously adopted by the Licensed Victuallers of Toronto in meeting assembled, in reference to these charges: —"*That this meeting endorses the action of Mr. Doherty as a License Commissioner, and fully repudiates the charges that have been made against him through the public press.*"

Mr. Hanlan's Manly Refutation.

The following communication, originally sent to the *Mail* and *Evening News* by Mr. Edward Hanlan, but refused publication in those papers, was received by the editor of the *Globe* with a request for its publication :—"In your issue of the 18th December, under the heading of 'Mr. Doherty's monopoly of the cigar trade among city hotelkeepers,' you say, 'It is openly stated that Edward Hanlan and Mr. Mead, hotelkeepers on the Island, were forced to purchase 10,000 cigars each from Mr. Doherty before their licenses were granted.' As far as I am concerned, the statement is wholly untrue, and I consider it a slander upon Mr. Doherty and myself." Mr. Hanlan adds that he was in England in April last when his license was granted. After his return in July he bought $150 worth of cigars from Nerlich & Co., as he would from any other firm. He continues, addressing, of course, the editors of the two Conservative organs :—"In future, when you attack a political opponent, please leave my name out unless the statements you rely on me to prove are true. I am a good Conservative, and I will not conquer an opponent by foul means, I have not done it in my professional capacity, and will not do it anyway or for anything."

Mrs. Mead's Denial.

Mrs. M. A. Mead, wrote as follows to the editor of the *Globe*, denying the charge that she had been compelled, through fear of not obtaining her license, to purchase cigars from Mr. Doherty, a member of the License Board :—"Referring to a paragraph in the *Mail* of Tuesday last, copying certain charges made in the *Evening News* against Mr. Doherty, I beg most emphatically to deny the statement that I had to purchase an enormous amount, or any, cigars from Mr. Doherty before obtaining my license. I never saw Mr. Doherty on the subject of my license, as it was obtained for me on a numerously signed requisition of several of the Island property-owners and residents of the east end of the Island. The few boxes of cigars purchased from Mr. Doherty were of a superior brand from what I kept before, and were got on the suggestion of a gentleman who boarded at the hotel for several seasons past. I would have made this statement at an earlier period, but I have not been in the city, and I may further add that I have not seen or spoken to Mr. Doherty or been approached by an agent of his on the above subject."

It is a noteworthy fact that both Mr. Hanlan and Mr. Patterson, who are Conservatives, had to send their letters to the *Globe* for publication, the editors of the Conservative organs which had circulated the slanders having refused to let them appear in the columns where the baseless charges were brought.

Mr. Patterson's Repudiation of the Charge.

Mr. John Patterson, of No. 78 Agnes-street, Toronto, wrote as follows to the Editor of *The Globe*:—

DEAR SIR,—In the *Evening News* of the 18th of December appears the following:—"John Patterson, who kept a tavern on the corner of Agnes and Elizabeth streets, says: 'I had to buy ten thousand cigars of Mr. Doherty at the time my license was refused, but the license was granted after the order was given for the cigars.' Speaking to a manufacturer he said: 'I would buy my cigars from you, but I must buy from Mr. Doherty to make my license all right.'" In reference to the foregoing I wish to give it an emphatic and unqualified denial. At the time referred to I did not know Mr. Doherty, nor would I have known him had I met him on the street, nor had I any dealing whatever with him. The only transaction I ever had with the firm with which Mr. Doherty is connected was the purchase from Messrs. Nerlich and Co. of five thousand cigars (not ten thousand) on the 12th January, 1882, which I paid for. Mr. Doherty at that time was, I believe, in New York, and I did not know him in the transaction. At this time my license had been granted over eight months. I never asked of Mr. Doherty any favors, nor he of me. The article above referred to is a direct falsehood, and I hereby challenge the *News* informant to prove that I ever uttered the words imputed to me. I further understand that the member for West Toronto made use of the said article on the floor of the Legislative Assembly. I would say to him that he had better in future, before stating as positively as he did that I used the language referred to, ascertain the truth of the matter. I again emphatically deny that I used the words in the article. In justice to Mr. Doherty I have made the foregoing statement, and trust that you will give it space in the columns of your paper.

Mr. Creighton, M.P.P. for North Grey, also made some charges, and in support of them read paragraphs from the Belleville *Intelligencer*, a paper owned by Mr. Bowell, one of Sir John Macdonald's ministers engaged with him in the attempt to transfer the legislation in license matters from Toronto to Ottawa. It was a singular feature that Mr. Creighton had to travel nearly 200 miles from home to find charges at all. Charges, after all, that were simply newspaper tittle-tattle as to certain persons having been refused licenses. Another singular feature was the fact that the men alleged to have been aggrieved did not themselves present their claims either to the public press or to the Government. When called upon for proof over the signatures of the parties, Mr. Creighton could offer none, and his complaints were treated as frivolous.

But one of the most unfounded charges made in the House was that of Mr. Solomon White, M.P.P. for North Essex, who is reported in the *Mail* to have said that he could point to instances where Conservatives had been told that if they did not keep their mouths shut they might look out for their licenses. He knew a case where a Conservative had his license suspended, and was told if he did not look out it would be withdrawn. The gentleman declared he had been threatened with the withdrawal of his license, and he went down to Sandwich and seconded the nomination of his opponent; and afterwards said to him, "You may think it hard on me, but my bread and butter depended on it" (Laughter and cheers.) He could give more names than one.

Mr. Hardy—Who made the threat?

Mr. White—The inspector of North Essex. (Loud cheers from the opposition.) My hon. friend cannot deny it.

Mr. Balfour—I do deny it.

Mr. White—Well, my hon. friend may, but he had the services of the gentleman in question during the campaign. (Hear, hear.)

Mr. Balfour—I never had the service of the gentleman at all. (Laughter.)

Mr. White—He was in the riding to my knowledge, and he said he would stay there for thirty days to see my hon friend elected.

The Inspector alluded to—Mr. Elliott—one of the ablest in the Province, immediately wrote a reply which placed Mr. White in a very unenviable position. He said "I have read Mr. S. White's speech in the *Mail*. So far as it concerns me it is a tissue of falsehoods. I will give Mr. White $100 if he will prove that I attended a single meeting or was in the south riding during the campaign. I will also give him another $100 to name the individual whom I threatened. I am confident no one ever told him so. I will also give him $100 if he will prove that I ever attended a meeting in connection with an election for the Local House since I have been Inspector under the Government. Mr. White did not see me in the riding during Mr. Balfour's campaign, nor did Mr. Balfour ever request me to go there. Mr. White's falsehoods will only surprise them who do not know him."

When this letter was read in the House Mr. White was unable to produce a shadow of proof in controversion of it.

Malice and Falsehood.

New and later charges have been made in the *Mail* of the 17th of January since the preceding observations were written. That paper quotes a paragraph from a speech of the then Treasurer, Mr. Crooks, on introducing the Bill on the 21st of January, 1876, in which Mr. Crooks incidentally mentioned "as illustrating the effect of the proposed change in the number of *tavern* licenses—that in Toronto the reduction would be very nearly 300 at that time to a little under 170. In Hamilton from 111 to 70; in Ottawa from 125 to 55; in London from 92 to 41, and in Kingston from 86 to 32."

The organ then proceeds as follows :—"Now let us look at the situation at present, and see how the promise has been fulfilled ;

Place.	Licenses to be cut down to, in 1876.	Number in 1881.
Toronto	170	318
Hamilton	70	153
Ottawa	55	151
London	41	98
Kingston	32	85

Recapitulation.

Place.	Increase over the promised number of licenses.
Toronto	148
Hamilton	83
Ottawa	96
London	57
Kingston	53

More deliberate lying never disgraced a public journal. It will be observed that Mr. Crooks dealt exclusively with *tavern* licenses. In its second, or righthand column, the *Mail*, in order to give some point to its malicious invention, includes not only tavern licenses but *shop licenses, and also wholesale licenses*; but it takes good care not to mention this, and the casual reader may therefore—indeed must necessarily be deceived.

It must be borne in mind that the *Mail* writer had before him the License Report for 1881, and, therefore, deliberately cooked his figures. We also give the correct number of *tavern* licenses issued the second year of the Crooks Act, namely, in 1877:—

Toronto	182
Hamilton	68
Ottawa	75
London	58
Kingston	61

But the tavern licenses issued in these cities in 1881 were not as given in the *Mail*, but as follows :—

	True No.	No. given in *Mail*.
Toronto	210	318
Hamilton	89	153
Ottawa	75	151
London	45	98
Kingston	64	85

(See License Report 1882, page 14.)

Compare the true figures with those given by the *Mail* and it will be seen that our language is not too strong in characterizing its conduct.

With the exception of Kingston and Ottawa these tables show that Mr. Crooks' figures were very nearly realized. They would have been absolutely correct had not an amendment been made to the Crooks Act in that very year, *viz.* at the last session of the Legislature held in the winter of 1877.

A great cry was raised—chiefly by the Conservative press—that an injustice had been done hotel-keepers in cutting so many of them off, and it was alleged that their property in many cases, where licenses had been refused, had been depreciated if not destroyed ; that they had been deprived of their business, and that their families were suffering and were likely to suffer from the operation of the Act. It was urged that if a further reduction took place, additional hardships would be inflicted. The Act was therefore amended by the addition of the following clause in the Act of 1877, chap. 18, Sec. 33 :—

" In cities License Commissioners may . . grant further tavern licenses, but within the number of such licenses granted for the year ending on 30th April, 1877."

But for this amendment Mr. Crooks' figures would have been verified—an amendment, we may add, relaxing the stringency of the Crooks Act and due chiefly to Conservative agitation.

The *Mail* next essays, by atrocious garbling of criminal statistics, to prove that, during the existence of the Crooks Act, crime has increased in the Province. The enemy's statements in this respect are best confuted by a reproduction of official figures. The following table shows the number of commitments to Ontario prisons during the year named :—

Commitments in Ontario.

Year ending 30th Sept.	Number of Prisoners committed.
1875	10,073
1876	11.236
1877	13,481
1878	12,030
1879	11,220
1880	11,300
1881	9,229
1882	9,620

From this it will be seen that, if the Crooks Act is to be held responsible for the increase or decrease of crimes of all sorts, the first effect of the Act, which went into operation in 1876, was to increase the committals; or, rather, the Crooks Act failed to arrest the increase in the committals until after it had been in operation for eighteen months; but that during 1878-79-80 and '81 there was a strongly marked decrease in the number of the commitments. Comparing the average of 1881 and 1882 with 1875, the last complete year under the old licensing system, the figures stand as follows :—

Comparison of Number of Commitments under Old and New Systems.

Year ending 30th Sept.		Number of Commitments.
1875, old system		10,073
1881, Crooks Act	9,229	
1882, "	9,620	
Average		9,424
Decrease		649

And in the meantime the population has increased at least ten per cent. Making allowance for this increase in population, the decrease in commitments in 1881, as compared with 1875, *is 15 per cent.* In the face of this fact the Opposition organ dares so to garble statistics as to produce a statement alleging there has been an increase of crime under the Crooks Act! Let us look at the statistics concerning such offences as "drunk and disorderly," "common assault," "breach of the peace," and "vagrancy," and we shall see that the condition of Ontario has greatly improved since the Crooks Act came in—

Table showing Commitments for certain offences connected with intemperance.

	Under old system, 1875.	Under Crooks Act, 1882.
Drunk and disorderly	3,663	3,497
Common assault	666	576
Breach of peace	66	47
Vagrancy	1,641	1,449

Allowing for the increase of 10 per cent. in the population of the Province during the six years, the following is the percentage of decrease in the commitments for each of these crimes—

Percentage of Decrease, allowing for increase of population.

	Decrease per cent.
Drunk and disorderly	13
Common assault	22
Breach of peace	35
Vagrancy	20

From this it will be seen that the criminal statistics of the Province confirm the opinion which common observation has enabled every man to form, namely, that under the Crooks Act *there has been a notable decrease of drinking, of drunkenness, and of crimes arising from drunkenness.*

The *Mail* then proceeds to garble the Dominion statistics relating to the production of spirits and malt liquors in the years before and during the existence of the Crooks Act. It is unnecessary to repeat the *Mail's* figures here. Suffice it to say that the figures allege, since the Crooks Act came in, an increase in the consumption of spirits and malt liquors of 5,860,543 gallons. This is so totally at variance with fact that we shall have to reproduce the actual figures relating to the production of liquors in this Province before and during the existence of the Crooks Act. First we must say that the said Act went into operation in 1876. The following table, compiled from the Inland Revenue returns, shows the production of liquors in Ontario in each year named:—

Production of Liquors in Ontario.

	Spirits Produced. Gallons.	Malt Liquors Produced. Gallons.
1874	5,423,070	6,780,441
1875	5,615,154	7,526,965
1876	3,111,119	5,872,411
1877	3,546,877	5,628,106
1878	3,530,085	5,387,698
1879	3,654,536	5,987,043
1880	2,981,242	6,427,736
1881	3,032,153	6,765,929

From this table it will be seen that:—

Immediately upon the passage of the Crooks Act there was a very great fall in the production of spirits and malt liquors.

The amount of spirits produced has actually fallen, notwithstanding the large increase in population, till the amount was less in 1880 and 1881 than in 1876.

The production of malt liquors fell away nearly one-third on the passage of the Crooks Act.

The production of malt liquors continued to fall away till 1879, since which time it has increased. But why has it increased?

This increase in the production of malt liquors will, of course, be charged to the Crooks Act; whereas in truth *it is clearly chargeable to the Dominion Government*, which in 1879 reduced the excise tax on malt from two cents a pound to one cent, and thus DID ITS BEST TO NEUTRALIZE THE EFFECTS OF THE TEMPERANCE LEGISLATION OF THE ONTARIO GOVERNMENT.

To Conclude.

It rests with the people of Ontario to affirm whether they will preserve to themselves the local control of so eminently a local right as the regulation of the liquor traffic, and whether they will uphold the Crooks Act with the improvements suggested from time to time by experience, or, on the other hand, whether they will permit the license law to be seized upon by the Ottawa authorities, and after the emasculation of its principles and excision of its wholesome if stringent provisions, entrusted to the administration of a Departmental head who may happen to represent the City of Montreal or some constituency in British Columbia, and over whom the electors of this Province have neither influence nor control; and whether the door now closed shall be thrown wide open so as to admit of the unlimited issue of licenses and as near a return to free trade in intoxicating liquors as the most violent opponent to law, order, sobriety and the wholesome provisions of the Crooks Act could desire.

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